

RESOLUTION NO. ~~2008~~-1839

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF SURFSIDE, FLORIDA, ESTABLISHING THE
TOWN OF SURFSIDE BEAUTIFICATION COMMITTEE;
PROVIDING FOR COMMITTEE RULES AND
PROCEDURES AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, pursuant to Article II, Section 31 of the Charter of the Town of Surfside, the Town Commission of the Town of Surfside ("Commission") may establish committees to act in an advisory capacity to the Commission; and

WHEREAS, the Commission finds that it is appropriate to establish a Beautification Committee ("Committee") to provide recommendations and advice to the Commission on matters concerning the beautification of public spaces within the Town; and

WHEREAS, the Commission finds that establishing the Committee is in the best interest of the Town; and

NOW, THEREFORE, THE COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA HEREBY RESOLVES AS FOLLOWS:

Section 1. **Recitals.** The above and foregoing recitals are true and correct and incorporated herein by reference.

Section 2. **Establishment of Beautification Committee.** The Town Commission hereby establishes the Beautification Committee as a Standing Committee to provide recommendations and advice to the Commission on matters concerning the beautification of public spaces within the Town.

Section 3. **Committee Rules and Procedures.** Members of the Committee shall be appointed and the Committee shall follow the Rules and Procedures adopted pursuant to Resolution 07-1792, Approving and Adopting Rules and Procedures for Committees Created by the Town Commission.

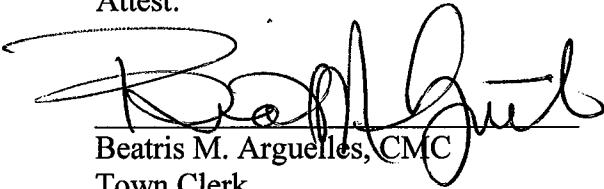
Section 4. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED on this 27th day of May, 2008.



Charles W. Burkett, Mayor

Attest:



Beatris M. Arguelles, CMC
Town Clerk

**APPROVED AND TO FORM AND
LEGAL SUFFICIENCY:**



Lynn M. Dannheisser, Town Attorney

RESOLUTION NO. 2007-1792

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND ADOPTING RULES AND PROCEDURES FOR COMMITTEES CREATED BY THE TOWN COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as of the date of the adoption of this resolution, the Town Commission has created the following committees: audit committee, Charette Committee, community center committee, education committee, green committee, parks and recreation committee, welcoming committee, and may continue to create additional committees all of which are designed to provide recommendations and advice to the Commission in their respective areas of interest; and

WHEREAS, the Town Commission finds that it is appropriate to set forth uniform rules and procedures for all committees created by Town Commission whether such committees currently exist or are created in the future by the Commission.

NOW, THEREFORE, THE COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA HEREBY RESOLVES AS FOLLOWS:

Section 1. Recitals. The above and foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Approval and Adoption of Committee Rules and Procedures. The Town Commission hereby approves and adopts the Committee Rules and Procedures attached as Exhibit "A" to this Resolution. The Committee Rules and Procedures shall apply to all committees created by the Town Commission whether such committees currently exist or are created in the future by the Town Commission. The Committee Rules and Procedures shall not

apply to the Town's Personnel Appeals Board, Pension Board, Planning and Zoning Board, Tourist Bureau or any committee established by the Town Manager. Questions regarding the applicability of these Committee Rules to any committee or board shall be decided by the Town Attorney.

Section 3. Re-authorization of existing committees. All committees currently in existence are hereby formally re-authorized by resolution of the Town Commission. Notwithstanding this reauthorization, all committees shall comply with Section 1 "Sunset Provisions" of the Committee Rules and Procedures.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 13th day of November, 2007.

MAYOR

Attest:



TOWN CLERK

Approved as to form and legal
sufficiency:



TOWN ATTORNEY

Town of Surfside

Committee Rules and Procedures

These Committee Rules and Procedures shall apply to all committees created by the Town Commission whether such committees currently exist or are created in the future by the Town Commission. The Committee Rules and Procedures are intended to supplement matters not covered in any resolution creating a Town committee but to the extent of a conflict, these rules shall hereafter apply. The Town's Personnel Appeals Board, Pension Board, Planning and Zoning Board, Tourist Bureau and any committee established by the Town Manager are specifically excluded. The Town Attorney shall decide any questions regarding the applicability of these Committee Rules and Procedures.

Section 1. Establishment of Committees.

Committees shall have been and shall be created by resolution of the Town Commission. All Committees shall be identified as either "Continuing" or "Ad-hoc" when they are established. Ad-hoc Committees may request to become Continuing Committees. All such requests shall be accompanied by a new proposed mission statement justifying the change.

Section 2. Term of Committees.

- (1) Continuing Committees. Continuing Committees shall exist until abolished by the Commission.
- (2) Ad-hoc Committees. The expiration date for each Ad-hoc Committee shall be designated at the time of formation. Alternatively, Ad-hoc Committees shall expire when the Ad-hoc Committee reports to the Commission that its designated goal or goals have been accomplished. All Committees shall have a mission statement developed by the Town Commission.

Section 3. Commission Liaison.

The Mayor shall designate one Commissioner as the liaison between each Committee and the Commission.

Section 4. Mission Statement.

- (1) All existing Committees shall express a statement of their purpose and goals. This expression of purpose shall be consistent with the intent of the resolution creating or re-authorizing the Committee and mission statement and shall be approved by the Town Commission.

- (2) When a particular Commissioner suggests the formation of a new Committee, that Commissioner shall also propose a mission statement for the new Committee.
- (3) It is understood that the powers and duties of each Committee are of an advisory nature to the Town Commission and/or Town Manager. It is also understood that no committee shall have jurisdiction over or related to any matter concerning Town employees or Town operated facilities and should seek the permission of the Manager if staff is necessary for any given task or any facility is needed for any given meeting or task.

Section 5. Committee Evaluations.

At the conclusion of each particular Committee's term, the Town Commission will review that Committee's performance and evaluate the need to retain the Committee. If the Town Commission elects to retain the Committee, then the Committee shall be re-authorized by subsequent resolution of the Town Commission. The resolution shall provide that the Committee shall have a sunset review every two (2) years but in no event shall a Committee extend past March 18, 2008. Thereafter, all Committees shall be re-constituted and the term of a Committee member shall be co-terminus with the term of the appointing Commissioner or the Mayor. If under this provision, the Town Commission elects not to retain the Committee, then the Committee shall automatically be abolished. Nothing contained in these Committee Rules and Procedures shall prohibit the Town Commission from abolishing a Committee at any time.

Section 6. Public Meetings.

All meetings and business of any Committee shall comply with the requirements of Chapter 119 and Chapter 286, Florida Statutes including that all Committee meetings shall be open to the public at all times, noticed, and minutes of the meetings shall be taken and retained in the Office of the Town Clerk as set forth in Section 18 below. Minutes shall be submitted no later than thirty (30) days after a meeting. All meetings shall be conducted in accordance with Mason's Rules of Procedure.

Section 7. Regular Meetings.

Committees shall hold at least one regular meeting each quarter at a location within the Town selected by the Committee Chairperson. If a Committee fails to hold a meeting for two consecutive quarters, it shall be considered disbanded.

Section 8. Special Meetings.

Special meetings may be called by either the Committee Chairperson, a majority of the Committee Members, or the Town Commission. Reasonable notice of a special meeting shall be sent to each Committee Member. Special meetings shall be publicly noticed and held at a location within the Town selected by the Committee Chairperson.

Section 9. Subcommittees.

Subcommittees may be created by the Committee Chairperson. These Committee Rules and Procedures shall apply to any subcommittees.

Section 10. Agenda.

The Committee Chairperson shall prepare the agenda for the Committee meeting. In the Chairperson's absence, the Vice Chairperson shall prepare the agenda. Any Committee Member may propose additional agenda items at any time. Items proposed after the agenda is distributed may only be heard under "New Business" and upon an affirmative vote of the majority of the Committee. Each agenda shall also include a section for public comment.

Section 11. Public Appearances and Requests.

Any person may appear before any Committee during the public comment portion of the meeting. Requests to appear shall be made to the Committee Chairperson at any time prior to the public comment portion of the meeting. Members of the Town Commission are permitted to attend Committee meetings but shall not vote or participate in discussion, other than during public comment.

Section 12. Quorum.

A quorum shall be fifty percent (50%) plus one of the Committee Members. Provided there is a quorum, a majority of those present and voting shall be required to adopt any motion or take any action.

Section 13. Voting.

Each Committee Member shall be entitled to one (1) vote. The committee shall act as a body in making its decisions. No Committee Member present at a meeting may abstain from voting unless the Committee Member possesses a conflict of interest, as provided in either the Florida Statutes or the Miami-Dade County Code of Ethics. A member must be present at the meeting to vote. Proxy votes shall not be permitted.

Section 14. Attendance.

In the event that a Committee Member fails to attend three (3) regularly scheduled meetings in any one calendar year, the Committee Member will automatically be removed from the Committee and the Town Commission will be notified of the vacancy in the manner described in Section 11(f) below.

Section 15. Appointments, Vacancies and Resignations.

Each person appointed to a Committee shall be appointed by the Town Commission in the

following manner:

- (a) The Mayor and each Commissioner shall appoint one (1) member to each Committee.
- (b) The Mayor and each Commissioner may appoint any individual to one Continuing Committee and one Ad-hoc Committee. Individuals may serve on multiple Committees if appointed by multiple Commissioners in the manner stated above.
- (c) If a Committee Member is appointed to both an Ad-hoc and a Continuing Committee by the same member of the Commission, then, in the event the Ad-hoc Committee becomes designated a Continuing Committee, that Committee Member shall resign from one of the two Committees.
- (d) Should any appointee resign during the term of the Committee, the appointing Commissioner may select another appointee in accordance with the procedure outlined in subsection (e) below.
- (e) Members of Committees shall be appointed to serve for one year terms, or until the end of the appointing Commissioner's term, whichever is less. If a Committee is created within 18 months of the end of a Commissioner's term, the appointee may serve until the end of the term. A Committee Member can be reappointed at the end of their term. All appointments are at the will of the appointing Commissioner and can be removed at any time. Once a Committee Member is removed, his or her replacement should serve out the term of the appointee replaced.
- (f) At least one month in advance of any vacancy on any Committee or as soon as practicable after the vacancy occurs, the Town Clerk shall notify the Town Commission, in writing, of the vacancy. The Town Commission shall establish a deadline for the submission of letters of interest to serve on the Committee at a Commission meeting.
 - (i) Any person who wishes to serve on a Committee and who meets the qualifications of office as set forth in the resolution creating or re-authorizing the Committee, shall submit his or her name together with a letter of interest to the Town Clerk by the deadline established by the Town Commission. Thereafter, the Town Clerk shall provide the Town Commission with the names and letters of interest.
 - (ii) Nominations and appointments to fill the vacancy shall be made at a Town Commission meeting. Appointments to fill a mid-term vacancy shall only be made for the remainder of the term of the Committee Member being replaced.

Section 16. Residency Requirement.

Committee Members shall reside in the Town. Non-resident property owners may be appointed to Committees as determined by the Town Commission. Any member who ceases to reside within the Town limits during his or her term shall be deemed to have resigned as of the date of change of address.

Section 17. Compensation.

All Committee Members shall serve without compensation and shall not otherwise obtain direct or indirect financial gain from their service on a committee.

Section 18. Applicability and Explanation of Laws.

All Committee Members shall be subject to the State of Florida, Miami-Dade County and Town of Surfside Code of Ethics. Upon appointment, the Town Clerk shall provide each Committee Member with a copy of both the State of Florida and Miami-Dade County ethics and conflict of interest laws. Committee Members will also receive a copy and explanation of the State of Florida's sunshine law and public records law.

Section 19. Financial Disclosure Requirement/Standards of Conduct.

If required by law, Committee Members shall file appropriate financial disclosure forms. All Committee members shall be subject to the Standards of Conduct for Public Officers and Employees set by federal, state, county or other applicable ethics or conflicts of interest laws.

Section 20. Officers and Elections.

Except as provided otherwise in the resolution creating or re-authorizing a Committee, each Committee shall elect a Chairperson, Vice-Chairperson, and Secretary annually, or as vacancies occur, at the first Committee meeting held on or after the third Tuesday of March of each election year. Each officer shall serve for a term of one (1) year or for the remaining term of the Committee Member being replaced.

Section 21. Records.

Minutes of all Committee meetings shall be kept by the Secretary and shall be available for public inspection. The minutes shall be forwarded to each Committee Member for review and shall be approved by the committee at a meeting. Once approved, the meeting minutes shall be forwarded to the Town Clerk for filing.

During meetings, a standard sign-in register must be completed by the Committee Members and maintained by the Secretary. Attendance and absences must be recorded and submitted to the Town Clerk along with the minutes, even if there is not a quorum.

Each Committee Secretary shall be responsible for providing a current membership roster of all Committee Members to the Town Clerk.

Section 22. Committee Reports.

- (1) Monthly Reports. Monthly reports should be made to the Town Commission by the Commission Liaison or the Committee chairperson.
- (2) Annual Reports. At the end of each calendar year, each Committee shall prepare an Annual Report summarizing the activities and accomplishments of each Committee and including recommendations for the following year.
- (3) Concluding Reports. Each Ad-hoc Committee should deliver a report at the conclusion of its term, unless the Committee transitions into a Continuing Committee.